



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

June 25, 2004

**FINAL REMINDER – RESPONSE PAST DUE FOR
LETTER OF DEFICIENCY# WSEB 02-25**
Certified Mail #7000 0600 0023 9933 3458

James Hartigan
Cedar Creek Condominium Association
PO Box 1313
Glen, NH 03838-1313

Subject: Conway - Public Water System: Cedar Creek (EPA# 0512200)

Dear Mr. Hartigan

On May 28, 2002, the Department of Environmental Services (“DES”) issued Letter of Deficiency #WSEB 02-025 (“LOD”) to the subject water system. The LOD was issued in response to the Arsenic sample result for the Quarter -2 of 2002 that exceeded the maximum contaminant level (MCL) allowed. A copy of the LOD is enclosed for your review.

Please note that the deadlines for certain requested actions established in the LOD have passed and we have no record of your response to the following items contained in the LOD:

DES Request Action #3: By June 28, 2002, retain the services of a qualified consultant to address the water quality violation and notify DES, in writing, of the name of the consultant hired. Please request the consultant to contact Bernard Lucey, P.E., of DES’s Water Supply Engineering Bureau to discuss the arsenic issue. Mr. Lucey can be reached at (603) 271-2952; and

DES Request Action #4: By July 31, 2002, submit to DES for approval the consultant's report, which shall contain the consultant's recommendations, along with an implementation schedule to correct the MCL violation. The report must also include a maintenance schedule for any proposed treatment process/equipment. DES must approve the consultant's report/recommendations, the maintenance schedule, and the proposed implementation schedule prior to any work being done on the system; and

DES Request Action #5: By the DES-approved correction date, correct the violation or install treatment as approved by DES. Notify DES in writing of the correction(s) taken.

To avoid additional enforcement action, you must respond to “LOD Requested Action #3”, above, by July 23, 2004; Action #4 by August 27, 2004; and Action #5 by the DES-approved correction date yet to be determined.

In the event compliance is not achieved within this period, DES may take further enforcement action, including issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

The written report as requested above should be addressed as follows:

Alan Leach
Department of Environmental Services
Water Supply Engineering Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

Please contact me by phone at (603) 271-2854 or email at aleach@des.state.nh.us should you have any questions about the requirements listed in this letter.

Sincerely,



COPY

Rene Pelletier, P.G., Manager
Land Resource Programs

Enc. Letter of Deficiency dated May 28, 2002

cc: Gretchen R. Hamel, Administrator, DES Legal Unit (w/o enc.)
Town of Conway Health Officer (w/o enc.)
LRW Water Services Inc., Operator (w/ enc.)
Forest Glen Property Management, Owner's Primary Contact (w/enc.)
US EPA Region 1 (w/o enc.)

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